

There is, however, one difference that must not be overlooked. The Constitution of the United States of America is a legitimate constitution, having been submitted directly to the people for ratification by their representatives elected and assembled solely for the purpose of passing on the terms of that document. The Charter of the United Nations, on the other hand, is an illegitimate constitution, having only been submitted to the United States Senate for ratification as a treaty. Thus, the Charter of the United Nations, not being a treaty, cannot be made the supreme law of our land by compliance with Article II, Section 2 of Constitution of the United States of America. Therefore, the Charter of the United Nations is neither politically nor legally binding upon the United States of America or upon its people.

HONORING THE CONTRIBUTIONS
OF COMAL COUNTY COMMISSIONER
JAN KENNADY

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Jan Kennady for a lifetime of dedicated public service.

Jan Kennady served on the New Braunfels City Council from 1993–1996, and as Mayor of New Braunfels from 1996–1999. Her energy and organizational skill were a tremendous boon to New Braunfels, and she was honored by the Texas State Legislature with a resolution expressing the State's appreciation.

She has also worked for years as a volunteer leader and organizer, and has been honored with multiple awards, including 1995 Citizen of the Year, the Chamber of Commerce President's Award, the Women of Distinction Award, and the 10 Outstanding Republican Women Award. In 1998, Governor Bush appointed her to a three-year term on the Texas Commission on Volunteer and Community Service. Her work on education, senior health, and other issues has earned her the thanks of a grateful community.

Jan Kennady is a model of initiative, commitment, and talent. She has made her city, her State, and her party stronger by her service. Today, she continues to serve her fellow Texans as Comal County Commissioner. I am honored to have this opportunity to recognize Jan Kennady, and to thank her for all she has done for those people whose lives she has touched.

Mr. Speaker, I am honored to have had this opportunity to recognize the many achievements of Comal County Commissioner Jan Kennady.

THE UNACCOMPANIED ALIEN
CHILD PROTECTION ACT OF 2003

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Ms. ZOE LOFGREN of California. Mr. Speaker, no child should be left to fend for herself in a complex immigration system that even you and I would fear. This is why today I am again introducing the Unaccompanied Alien Child Protection Act.

It is true that in 2002 Congress transferred the care, custody, and placement of unaccompanied alien children from the Department of Justice to the Department of Health and Human Services to improve the treatment children receive when encountered at our borders. This is certainly a big step in the right direction and I commend the Department of Health and Human Services for taking important steps to improve the care and custody of these vulnerable children. But these positive actions did not end the plethora of problems unaccompanied children experience when they come into contact with our immigration authorities.

Health and Human Services inherited a system that relied upon a variety of detention facilities to house children and was given little legislative direction to implement their new responsibilities. As a result, some children from repressive regimes or abusive families continue to fend for themselves in a complex legal and sometimes punitive system, without knowledge of the English language, with no adult guidance, and with no legal counsel. Some unaccompanied children are treated in a manner that our country usually reserves for criminals, not helpless victims.

The Unaccompanied Alien Child Protection Act would not change the ultimate decision on what happens to the quest by children for permanent safe haven in America. It would ensure that while the decision-making process is underway, children are housed in a humane and civil way and that those deciding are accurately informed about the facts of each case and the law.

Consider the compelling story of Esther, a nine-year-old victim of abuse, neglect and abandonment by her parents. She escaped to the U.S. with relatives who later turned her over to immigration authorities at the age of fourteen. Esther was detained for over six months in a juvenile jail and represented by an unscrupulous attorney who failed to appear at her immigration hearing, leaving her defenseless. The immigration judge ordered Esther to leave the United States.

Well after the Homeland Security Act transferred the care and custody of unaccompanied alien children to Health and Human Services, the Associated Press reported on a ten-year-old boy from Ghana who "immigration officials, unsure of where the boy's parents were or how he boarded the plane without travel documents, sent him to a detention center . . . while they figured out what to do with him. Three years later, he [was] still in custody."

Another child, Malik Jarno, was detained in various adult and juvenile detention facilities for almost three years. It took several letters from over 50 members of Congress before Malik was released to a home for refugees as he continued proceedings to determine his immigration status.

It is the time to complete the positive steps we have already taken to more fully protect children who arrive in the U.S. with no parents or guardians to watch over them. The Unaccompanied Alien Child Protection Act will ensure minimum standards for the care and custody of unaccompanied children and require a smooth transfer of minors from the Department of Homeland Security to the Department of Health and Human Services. It will also ensure that children receive adult and legal guidance as they navigate through our complex immigration system. I urge this body to swiftly

consider and pass the Unaccompanied Alien Child Protection Act.

IN MEMORY OF DR. DONALD
ARTHUR BROOKS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Mr. BURGESS. Mr. Speaker, I rise today to give tribute to Dr. Donald Arthur Brooks, from the 26th Congressional District of Texas, for his lifelong contributions to his community and to his fellow citizens. Dr. Brooks was the first African-American general surgeon in Ft. Worth and the first to be a board-certified surgeon in Texas. Dr. Brooks died on March 4th at the age of 83.

I would like to recognize and celebrate Dr. Brooks' life today. Dr. Brooks set high standard by which all American citizens should strive. Born into a financially disadvantaged family, Dr. Brooks proved himself as an exceptional student graduating near the top of his class. After receiving his Bachelor of Science at Prairie View A&M in 1941, he then served two years in the United States Army. Upon returning from active duty, Dr. Brooks saved his money and went back to school to receive his Medical Degree at Howard College of Medicine.

Dr. Brooks returned to Ft. Worth in 1957 to become the first African-American to practice general surgery. He and his brother worked side-by-side and quickly became among the best-known health care providers for the African-American community. Later, Dr. Brooks would be named Chief of Surgery at St. Joseph's Hospital. He continued to practice and was distinguished as a pioneer of his community.

When he retired from surgery in 1993, Dr. Brooks continued to provide medical service to the community by becoming a staff physician at Tarrant County Jail. Dr. Brooks became the patriarch of medical dynasty which resulted in a family tree of six doctors.

It was my honor to represent Dr. Brooks. My extend sympathies to his family and friends. May the example of this "Southern Gentleman" be a lesson to us all, that our deeds should represent us well.

RECOGNIZING THE ACHIEVEMENTS
OF GUADALUPE COUNTY COMMISSIONER
ROGER BAENZIGER

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the work of Guadalupe County Commissioner Roger Baenziger.

Roger Baenziger is one of Guadalupe County's most loyal and accomplished native sons. He was born and raised in Seguin, attended Seguin High School and received an accounting degree from Texas Lutheran University. He returned to the community to join his father's business, Model Market, which he helped his father run for the last 30 years.

As a lifelong small businessman, Roger is uniquely aware of the importance of small